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Attorney for Plaintiff
WAYNE BERRY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;)	Civ. No. CV03 00385 SOM-LEK
)	(Copyright)
Plaintiff,)	
)	PLAINTIFF WAYNE BERRY
vs.)	STATEMENT OF
)	CONSULTATION REGARDING
HAWAIIAN EXPRESS SERVICE,)	MOTION FOR ATTORNEYS'
INC., a California corporation; et al.)	FEES AND FULL COSTS FILED
)	ON MARCH 15, 2006;
)	CERTIFICATE OF SERVICE
Defendants.)	
)	
)	

**PLAINTIFF WAYNE BERRY STATEMENT OF
CONSULTATION REGARDING MOTION
FOR ATTORNEYS' FEES
AND FULL COSTS FILED ON MARCH 15, 2006**

COMES NOW, Plaintiff Wayne Berry, by and through his undersigned
counsel and hereby respectfully submits his certification pursuant to L.R. 54.3(b)

that Plaintiff's counsel has conducted a meet and confer with counsel for the PCT, C&S and the Fleming Employees. The parties discussed the position of both Plaintiff and the Defendant constituents and attempted to reach a settlement but none was reached.

The meet and confer was conducted on March 28, 2006 at 3:00 p.m. at the offices of Kobayashi, Sugita & Goda. Damian Capozzola participated telephonically on behalf of the PCT. Lyle Hosoda, Esq. and Raina Meade, Esq. attended on behalf of the Fleming Employees. Lex Smith attended on behalf of the PCT and C&S related defendants.

In addition, Mr. Berry's counsel has also participated in meet and confers with Leroy Colombe, Esq, counsel for Foodland, and Gregg Ushiroda, Esq. counsel for Alix Partners, at their respective offices on March 28 and 29, 2006 respectively, related to their client's motions for fees and costs. Agreement has not been reached.

DATED: Honolulu, Hawaii, March 29, 2006.

/s/ Timothy J. Hogan
TIMOTHY J. HOGAN

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FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;)	Civ. No. CV03 00385 SOM-LEK
)	(Copyright)
Plaintiff,)	
)	CERTIFICATE OF SERVICE
vs.)	
)	
HAWAIIAN EXPRESS SERVICE,)	
INC., a California corporation; et al.)	
)	
Defendants.)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that on the dates and by the methods of service noted below,
a true and correct copy of the foregoing was served on the following at their last
known addresses:

Served Electronically on March 29, 2006 :

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DATED: Honolulu, Hawai'i, March 29, 2006.

/s/ Timothy J. Hogan

TIMOTHY J. HOGAN

Attorney for Plaintiff WAYNE BERRY